

**Introduced by Senator DeSaulnier
(Coauthor: Senator Wolk)**

February 21, 2013

An act to add Chapter 4 (commencing with Section 11480) to Title 1 of Part 4 of the Penal Code, relating to the California Institute for Criminal Justice Policy.

LEGISLATIVE COUNSEL'S DIGEST

SB 466, as introduced, DeSaulnier. California Institute for Criminal Justice Policy.

Existing law requires the California Law Revision Commission to study, and limits the commission to studying, topics approved by resolution of the Legislature. Existing law requires the commission to examine statutes to discover defects and recommend reforms.

This bill would establish the California Institute for Criminal Justice Policy. This bill would request the University of California to house the institute. This bill would require the institute to conduct a cost-benefit, evidence-based analysis for each pending legislative measure relating to criminal justice and supply the analysis to the appropriate policy and fiscal committees in the Legislature as soon as practicable and not later than 60 days after receiving a request to produce an analysis from a committee.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 4 (commencing with Section 11480) is
- 2 added to Title 1 of Part 4 of the Penal Code, to read:

CHAPTER 4. CALIFORNIA INSTITUTE FOR CRIMINAL JUSTICE
POLICY

11480. The Legislature finds and declares all the following:

(a) For the past 30 years, California’s criminal justice system has experienced ongoing problems, including dangerous prison overcrowding. In 2006, California’s prison population reached 173,000 inmates, at 202 percent of design capacity. State spending on corrections increased by 31 percent in the last decade resulting in reduced funding for higher education, health and social services, and the courts and local law enforcement.

(b) Parole reform in 2009 and the 2011 Public Safety Realignment significantly reduced prison populations for the first time in decades. Nonetheless, prisons are still over capacity, jail expansion is increasing across the state, and too few justice system entities have embraced evidenced-based practices to increase safety and reduce criminal justice costs.

(c) California needs an independent data-driven institution to promulgate best practices in criminal justice and guide the state in a transition from a problem-plagued justice system to evidence-based practices. A dedicated, independent institute can carry out nonpartisan practical research to address the continuing issues in the criminal justice system and delineate models for effective public safety and justice systems.

(d) Instituting best practices in the criminal justice system will ultimately save the state money through reduced litigation costs. A 2010 report by the Inspector General of California found that the state paid more than \$139 million between 1997 and 2010 in litigation costs for 12 major class action cases associated with the treatment of inmates and wards in the state. By addressing these issues in a comprehensive manner, future lawsuits could be avoided, and the costs of the existing on-going litigation could be mitigated.

11480.01. There is hereby established in the state government the California Institute for Criminal Justice Policy.

The purposes of the institute shall include, but need not be limited to, the facilitation of a comprehensive and coordinated approach to delineate effective public safety and justice systems through the use of evidence-based practices, the promulgation of cost benefit analyses of criminal justice legislation to promulgate

1 a statewide plan for public safety, and the development of strategies
2 based on data and science that reduce recidivism and hold offenders
3 accountable.

4 11481. The Legislature requests that the University of
5 California house the California Institute for Criminal Justice Policy
6 to facilitate independent and nonpartisan research on issues related
7 to criminal justice and public safety by experts in the University
8 of California system and beyond.

9 11482. (a) The California Institute for Criminal Justice Policy
10 shall conduct a cost-benefit analysis for each pending legislative
11 measure relating to criminal justice.

12 (b) The California Institute for Criminal Justice Policy shall
13 include in an analysis a determination of the potential effectiveness
14 of the policy based on evidence in the field of criminal justice.

15 (c) The California Institute for Criminal Justice Policy shall
16 provide that analysis to the appropriate legislative policy and fiscal
17 committee as soon as practicable and not later than 60 days after
18 receiving a request to produce an analysis from a committee.